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BEFORE: VIKTOR V. POHORELSKY DATE: <u>5/4/10</u>

U.S. MAGISTRATE JUDGE START TIME: 2:30 p.m.

END TIME: <u>2:45 p.m.</u>

DOCKET NO. <u>CV-09-2347</u> JUDGE: <u>FB</u>

CASE NAME: <u>Hatton v. Schiller Grounds Care, Inc.</u>

CIVIL CONFERENCE

PURPOSE OF CONFERENCE: <u>Telephone Status</u>

APPEARANCES: Plaintiff <u>Steven Kaiser</u>

Defendant <u>Richard Barber</u>

SCHEDULING AND RULINGS:

1. The next conference will be held by telephone on **July 29, 2010 at 2:15 p.m.**, to be initiated by counsel for the plaintiff (Chambers: 718-613-2400).

2. The parties have not been pursuing discovery vigorously and have not yet even inspected the accused device. They are warned that the discovery deadline, which provided fully nine months for discovery, is unlikely to be extended.